No 68 of 93.

G. R. S. IX-5]

Previous references.

1892-93.
~~192~~
(L. R.)

File No 134 of 92

Serial Nos 1 to

Later references.

R. Dn. 588 of 04-05
B. July 05
(Annexed on the file board)

GENERAL AND REVENUE SECRETARIAT

Serial No 4 of

Bangalore, December 1893.

SUBJECT.

Dispute regarding the Shanbhogiq of Koogoor in T. Narasipur Taluk.

Precis

A.D. No 173 of 1892-93

Appellant: Nanjappa
Shanbhag of
Mugur in Tirumakudlu narsipur
Taluk

Respondent: Sreenivasa
Shanbhag of
Mugur

This is a dispute regarding the office of Shanbhagi of Mugur in Tirumakudlu narsipur Taluk.

The following are the facts of the case:

In the Parabalu Rep.[x] of 1868-69 the appellant, the respondt. and another named Subbia are entered as hukdar Shanbhags of Mugur, their monthly salaries being Rs 2-6-0, 1-3-0 and 1-3-0 respectively

(Copy.)

No "Nirasi" is entered
in the said Regr against
the name of Subbia above
named, although a
"Nirasi" of Rs 70 is
entered against the name
of each of the other two
karnams by the appellt
and the Respt.

In 1876 Subbia
seems to have applied
for two years leave.
The leave not having
been granted he applied
to the authorities for the
transfer of his karnam
in favor of one Ranjappa (not appellt)
The said Ranjappa was
accordingly made karnam
-dar.

The collection of the
cesses had been for
some time jointly performed
by the three Shanbhogs,
viz appellt, Respt, and
the new karnamdar Ranjappa.

Owing to the joint
performance of the
collection

true copy of para
of 5.12.77 of the Asst
Commr Ranjappa
Subbia produced
by the Respt before
the initials.

duties by the three Shanbhags the good work suffered considerably the new Varavadda Nanjappa had not been performing his duties satisfactorily and he was moreover not entitled to any "miraci" — his predecessor himself was not entitled to it — He was therefore directed not to interfere with the collection duties any more.

What became of the new Varavadda Nanjappa, is not clear from the records now submitted to this office.

Till 1891 the appellant and the respondent however appear to have performed the Shanbhogs duties jointly. Afterwards misunderstanding arose between them, in consequence of which the collection

vide Barabakti Reg: of 1868-69 &
order of 5th July 1878 passed by the Asst Comr Nanjangud Sub Divn (vide copy) no 96

vide Amboli Reg: of 24.1.92

and other duties failed
to be satisfactorily perform
-ed by them.

On the 5th January
1892 the Amildar issued
an Isthihar warning
the ryots against paying
Kandayam to the hands
of the Shanbhogs, without
the knowledge of the Patel,
since it was not only
opposed to the circular
orders in force on the
subject but was also
unsafe considering parti
-cularly the ill feeling
existing between the said
Shanbhogs.

On the 15th January
1892 the appellant deposed
before the Amildar that
he and the Respondent
should do the Shan
-bhogi duties by turns, he
for two years and the
respondent for one year
alternately; that in 1864
an order had been issued

Salary of ~~Rs~~ 2-6-0 and the ~~appt~~ respondent of ~~only~~ Rs 1-3-0, that both of them had been ~~told~~ ~~been~~ jointly performing the Shanbhogi duties, that it had not been decided by any authority that the appellant and the Respondent should alternately perform the duties, the former for two years and the latter for one year, ~~respectively~~, that according to the Barabaluti Regt. of 1869, (~~which was signed by both the two Shanbhogs~~) the miras appeared to have been enjoyed in equal shares by both of them, that it was true that the Respondent had some time ago been declared insolvent, that as the said Respondent

had however consented to furnish security he might be ~~ordered~~ allowed to do the duties, and that orders might be passed directing the parties to do the duties alternately - the appellant for the 1st year and the respondent for the 2d year and so on -

On the 1st April 1892 the 2d Govt Asst Commr ordered that the Kandarada Nanjappa appellant should himself do the duties, that the Jamadar should be removed, that the Shan-bhogi work should be performed according to manool, that the parties would not be allowed to do the duties by turns

On the 15th April 1892 Mr G. Narasimha Successor of Mr In-krishna Iyengar Amildar, reported

9

to the 2d Genl Asstt Comptr
that the Applicant who
was entitled to 2/3 of the
salary might alone be
directed to look after
the duties and that
the Respondent might
be allowed to receive
his usual salary and
1/3 of the "mirasi" for his
maintenance, and a
muchalika might be
taken from the said
Respondent promising
not to interfere with
the Shanbhagi duties.

In the meantime
Subbe Gowda Patel of
Mugur executed a
muchalika to the
Asstt Collr binding himself
to pay to Govt Rs 500
in case the Respt Sree
-cuntia failed to dis
-charge his Shanbhagi
duties according to the
rules.

On the 26th April
1892 the 2d Genl Asstt

9 6.4.92

Commissioner ordered ~~accordingly~~.
that from the Barabaki
Register (Copy) it appeared
that the Appellant and
the Respondent had
been receiving an Equal
Share in the "Miraci",
that ~~the Contention of~~
~~the Appellant~~ in the
face of such evidence
the contention of the
Appellant that he was
entitled to two out of
three shares was not
proper, that if the parties
had any reasonable dispute between
them respecting their
shares they must either
have the dispute settled
privately or the party
claiming to have a ~~large~~
larger share should
duly establish his claim,
that both the Appellant
and the respondent
were responsible to
the due discharge of your

preferred to Govt by
Narayappa is against
the order of the Deputy
Commr.

The grounds of
appeal are:-

1 That the Deputy
Commr having found
that the appellt was
the ~~to~~ superior hukdar
getting $\frac{2}{3}$ of the Emolu-
ments erred in not
directing that the
appellt should do duty
for two years and the
respondt for one year
alternately.

2 That the Dy Commr
erred in not directing
the payment to the
appellt of $\frac{2}{3}$ of inam
instead of $\frac{1}{2}$.

3 That the Dy
Commr was wrong
in directing that the
appellt was not entitled
to nominate his own

guarded as occasion
arose.

pen
26-9-

M^r No 173 of 1892-93

Appt—

Nanjappa
of Mugur
Srirangapatna Taluq
Mysore Dt
Represented by Mr Subbashastry Iyer
Barrister at Law

Respt

Srikantia.—
Represented by Mr. S.
Ramaswamy Iyer
advocate—

This is an appeal against the order directing of the Dy^{r} of 26 April 1892 ~~dismissing~~ the Appt & Respt to do the duties of Shanbhog alternately every other year.

The Appt's contention is that he should have 2 years while the Respt should have only one year. because he gets more pay the Respt draws.—

The Acct of 1868 shows that there were 3 Shanbhogs for the Village with the names and wages & salaries mentioned opposite their names

		Rs
1	Nanjappa Appt	2-6-0
2	Srikantia Respt	1-2-0
3	Subba —	1-3-0
	Total	4-12-0

& that the Inam ~~shanbhogs~~ payable by the Respts in the 1st of 3 was Rs 70 each, & that the 3d had no Inam.

The 3d subsequently

~~the duties~~ between them as
well as he can. 18

at the other objection taken
at the hearing by the DC Commissioner
is that ~~he~~ she did not allow the
appellant to perform the duties of
guardian as the DC
Court would intend to accept
any man appointed as her guardian,
~~but he would have qualified as~~
~~such~~ if he considered him
unqualified for the post, but
there should be no objection to
a qualified man being appointed
as a guardian, the right of
doing things by proxy being
duly there recognised. —

[illegible]
2/12/93

[illegible]

ENCL.

2 DC Court has been requested
to Rec[illegible] the appellant & Respondent in
the ~~the~~ proceedings to decide the matters between
them, & also allow the appellant to
~~appellant~~ appoint a guardian, ~~appointed by~~
~~the Court~~ so appointed ~~qualified~~
~~for the purpose~~ with the duties ~~of~~ to perform the duties of

abandoned the office &
nothing is known of him
Apparently the 3d was a
person appointed out of the
Mem of No 2 for official
convenience — What does
not say how he came to get
a higher salary than the Respts, while the
Income is divided by them
equally, but that is not the question
which has now to be considered —

At the hearing, the Applts &
Respts advocates objected to the performance
of duties by turns, & requested that
the duties might be divided between
them — It is also considered that
the order issued by the Dr Genl re-
directing each Shanbhog to do duties
by turns is objectionable & ill calculated
to give them a feeling of responsibility, &
it is opposed to the existing system in
the Province. The Dr Genl was therefore
requested to Report to the Shanbhogs on
the 11th Pergs settlement is made
when only one Shanbhog will be
appointed, & divide the duties &

(General Serial No. 32.)

1892.

No. 1195 (2)

Name of Petitioner. Ramappa Ramagoni

Village. Mangalore

Taluk. S. Canara

District. Kanara

Date of Arzi. 10-11-92

Date of Receipt. 11-11-92

Date of Disposal.

No. of Enclosures. One

ABSTRACT.

Appeal against the decision in Civil Suit No. 1 of 1892-93 on the file of the Court regarding the Management of Mangalore

12/11/92

(1) Sd. Suffix
(2) Date filled
(3) Nil in Time
(4) Rule 1 Cl 1 of the Act Rules

Call for Report with the Annual Report

BO
21
11/92

L.R. 139-1921

Mysore Govt. Central Press Bangalore—7-9-92,—1000.

A.S. No 175
92-93

20

(1)

Two Rupees stamp affixed
Mark 11/11/92

In the Court of the Dewan and Councillors
To H. H. the Maharaja of Mysore

Mis. Second Appeal No. of 1892

Appellant Ranjappa, Shanbhog of
Hosagrir of Thirumakoodlu hand
Sira Taluq

vs

Respondent Sreecantiah

The appellant above named begs to appeal against the order of the Deputy Commissioner of Mysore in Revenue Mis. Appeal No 11 of 92-93 for the following reasons.

The learned Deputy Commissioner having found that the present appellant is the superior hereditary getting 2/3 of the emoluments erred in not directing that the appellant should do duty for two years and the respondent for one year by

Pet 630

Plan

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT. (3)

OFFICIAL MEMORANDUM.

The accompanying Petition No. 1195

dated 10 – 11 – 92 received at the

Dewan's Office from Ranjappa, Shanbogue

of Kooppoor, S. Karnatak Dist

appealing against the Deputy

~~Commissioner's order regarding~~ his

claim to the Shanbogue of the

said village,

is forwarded, together with its ~~one~~ two

enclosures, to the Deputy Commr

Kopporal Dist for submission

of proceedings with a report

on the facts of the case and

on the points taken in the

petition.

2 The Petn should be returned

L. R. 139-92-2

From the Dewan's Hp. 12.3 of 31.3-93

Draft By Order,

BANGALORE,
15 Nov 1892
17

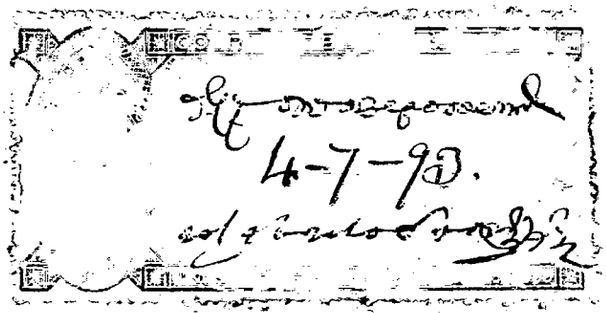
15/11.
for Chief Secretary

Encl issued
17/11/92

Box

Petn branch

7/7/93

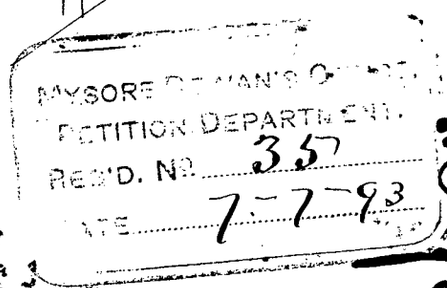


4-7-93.

Receipt stamp

24

(5)



1892-93

(General Serial No. 32.)

D. C. 1895 17.

No. 460

Name of Petitioner. Nanjappa Shanbhag

Village. Mangalore

Taluk. Tennamaddu Mangalore

District. Mangalore

Date of Arzi. } 14-8-95

Date of Receipt. }

Date of Disposal.

No. of Enclosures. two

ABSTRACT.

Petitioner prays for the confirmation of the Deputy Commissioner's order granting the Tenancy of his official Government Registering Inspector Authority

11/8/95

L R 139-92-4

Code Class. P

INDIAN TELEGRAPHS.

Monthly Number.

To (Office) Bangalore

From (Office) Mysore Dr 5 6

Words. 34 | Day. DATE | Hour. 14 | Minute. 28 | Official Instructions. 93

To (Person) Y Ramarao Esqre Chief Secretary to Government of Mysore.

From (Person) Ramjathan Shanbogue Manager Canara Bank Limited Mysore

Peter Daniel Esqre Bangalore

Mysore 14/8/93

Pray move Metrome Deputy Commissioner ordered transfer Chitaldroog Tahsildar Government matters Shanbogue Bank

Reed. from LN. | Sent to LN.

At Hrs. Min. by | At Hrs. Min. by

Telegraph Master.

BANGALORE 14-8-93

C. S. P. Co.—No. 333 T—6-3-93 (4-5-6000).

62 Word Form.

F.A

Class. *(in full)*

INDIAN TELEGRAPHS.

Receipt for an Inland Telegram.

To *(Office)* Vs

Number.

Date Stamp of Post Office.

Cost Rs. As.

Extra charges Reply, Delivery, &c. Rs. As.

Initials of Postmaster, &c.

Above particulars, giving full cost, to be filled up when the Telegram is paid for, PARTLY or WHOLLY, in Postage Stamps or Repl. Passes.

SPACE FOR UPPER HALVES OF TELEGRAPH STAMPS.

N.B.—When Telegraph Stamps form only PART PAYMENT, the entire stamps must be fixed lengthways BELOW the dotted line.

Telegraph Stamps are accepted at all Offices. Postage Stamps are only accepted at Post Offices and when telegrams are posted to a Telegraph Office for transmission.

For **INLAND TELEGRAMS** *only.*

Stamps cut, torn or in any way defaced cannot be accepted.

SPACE FOR LOWER HALVES OF TELEGRAPH STAMPS OR FOR ENTIRE POSTAGE STAMPS.

N.B.—Stamps may be affixed along this line up to the left of the Form and continued on the corresponding space on the back, if necessary.

Code Class.	*No.*	*Words.*	*Day.*	*H.*	*M.*	*Official Instructions.*

NOTHING TO BE WRITTEN BY THE SENDER ABOVE THIS LINE.

To

(Telegraph Office).....

(Person).....

(Address).....
(in full)

ADDRESS FREE

From

(Telegraph Office).....

(Person).....

Here write whether your telegram is State *or* Private. *Unless classed* State *by sender, it will be sent as* Private, *and no change or refund is afterwards admissible.*

Here write whether your telegram is to be sent URGENT, ORDINARY *or* DEFERRED.

NOTHING TO BE WRITTEN ON THE BACK.—CONTINUE ON ANOTHER FORM.

ent to ..... *LN.*

s ..... *Hrs.* *Mts. by* .....

Sender's Signature and Address or Designation. (Not signalled.)

The *ACCURACY* of telegrams is not guaranteed: the sender must accept *ALL RISKS* arising from non-delivery, errors or delays.

Address any complaint regarding this telegram to the Telegraph Check Office, Calcutta, within two months from the date of the telegram, enclosing this receipt.

For detailed rules, see the Telegraph Guide (price 4 annas.)

ADDITIONAL SPACE FOR STAMPS.

N.B.—When Telegraph Stamps are affixed here, the upper halves, if they accompany the receipt, must be placed above the dotted line.

No Stamps to be affixed below unless spaces allotted are insufficient.

C. S. P. Co.—No. 360 T—27-3-33—3,00 000.

F. N.
No. 03

Local No. [illegible]
(of R. P. Telegram.)

Government Telegraph Department.

Name and Date Stamp of Booking Office.

Pass for a Reply Paid Telegram.

The sum of Rupees (in words).....

Annas.....

has been deposited for a reply to this telegram. The reply may be sent from *any* Telegraph Office at any time within 30 days of this date, *provided this authority be attached to the telegram form.* This Pass may also be used for any telegram sent by any person within the above period, whether it be a reply to the original telegram or not.

PARTICULARS OF THE TELEGRAM.	
I. Office at which DEPOSIT was made.	C. Mysore M
II. Date and Time of Telegram.	17/8 9 30
III. Name of Addressee	J Onraet [illegible]

Should the cost of the reply exceed the sum deposited, the difference must be paid by the sender of the reply. Should the cost of the reply be less than the amount deposited, no refund will be given for the amount not availed of; but if the Pass be not used, the amount which has been deposited will be refunded upon application to the Check Office, Calcutta, within 30 days of date of issue. The application must be supported by this Pass, without which no refund will be granted.

Name and Date Stamp of Office of Issue.

BANGALORE 14-8-93

[illegible]

Signature of Telegraph Officer in Charge.

NOTE.—In the case of a Foreign Telegram this Pass is current for six weeks and if not [illegible] amount will be refunded at any time within 3 months

for Appointment

(General Serial No. 30.)

From 29 189 (8)

The Chief Secretary
to the Dewan of Mysore.

To

The Deputy Commr
Hyderabad

Dated 25th

Despatched Aug/93.

Received

Enclosures No.

General No. 3112
P. No. 260

L. R. 139-92-5

References to be marked.

Mysore Govt. C. Press, Bangalore.—9-1-93.—3,000.

Bund

To

The Deputy Commissioner
Bijapur District

3112
Pet 260

His letter No. 263, dated
31st March, submitting the
records connected with the
appeal of Nanjappa of Jamgir,
Tadmaddin Narzilan Saudi,
regarding the Khanitaqi of
that village.

With reference to the above,
the Deputy Commissioner is
requested to maintain present
possession of the Khanthagi
office, pending
decision in appeal.

By Order

Asst

Draft
(Bh. Secy's order)
dated 15/8
No. 460.
S.V.

for Chief Secretary

Decision on appeal Nos 173 of 1892-93 —
continued

but that is not the question which has now to be considered.

4. At the hearing of both the appellant and Respondent's advocates objected to the performance of duties by turns, and requested that the duties might be divided between them. Government also consider that the order issued by the Deputy Commissioner directing each Mamlatdar to do duties by turns is objectionable and ill-calculated to give them a feeling of responsibility and is, besides, opposed to the existing system in the Province. The Deputy Commissioner

well, therefore he requested to keep both the Chambhoys in office till the Potagi settlement is made, when only one Chambhoy will be appointed, and to divide the duties between them as well as he can.

5. Another objection taken at the hearing to the Deputy Commissioner's order is that it does not allow the appellant to do his duties by a gumasta. Of course the Deputy Commissioner is not bound to accept any man appellant names as his gumasta, if he considers him unqualified for the post, but there should be

No objection to a qualified man being appointed as a guardian, the right of doing duties by proxy being exercised.

19/12/28

By order

Redraft

No 9989 Chief Secretary

P.S.-S-25 19/12/28

Copy to the Secretary

Comm[issioner] Supreme Court

~~with the Commissioner's~~

~~Record under his No 1263~~

~~dated 21st December 1928~~

By order

Chief Secretary

S.V.R.

cpd by Kesavan

No. 1195/as 173

36

26-12-93

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,
26 December 1893

(14)

Endorsement granted to Manjappa of Mosale, Hiriyur Hobli, represented by Mr Subbaparthy Iyer, Barrister-at-law

in reply to his Petition Registered No. 1195/173 dated 10th Nov. 92.

appealing against the Deputy Commr's order regarding ~~his duties to~~ the Shanbogi of the village.

Petitioner is informed that the Deputy Commissioner has been requested to keep the appellant and Respondent in office till the Patagi settlement is made when only one Shanbhog will be appointed and till then to divide the duties between them and also allow the appellant to appoint a gumasta, provided the man so appointed is competent to perform the duties.

2. The enc: are returned.

ml
19/1 MRA

L.R 139-92-7

"By Order"

Redraft
IKR

Chief Secretary.

Mysore Govt. Central Press, Bangalore.—9-2-93—2000.

from the District Huzoor that he should receive $\frac{2}{3}$ of the "mirasi", that another order had also been passed in 1857 by the Divn Supt to the same effect and that he would produce those orders within eight days.

The respondent deposed on the same oath before the Amildar that each of them (the appellt & the respt) should perform the Shanbhogi duties for one year alternately, that for 30 years past both of them had been dividing the mirasi equally between themselves and that the appellant was not entitled to receive more.

The appellant did not produce the orders as promised (vide remarks of Mr Krishniyer Amildar of 21-1-92).

On the 22d January 1892 the appellant presented a petition to the Amildar that he has been receiving $\frac{2}{3}$ of the "mirasi" and the Respondent only $\frac{1}{3}$, that the Respondent had been declared insolvent and his character was not above suspicion, that the Respondent should not therefore be allowed to interfere with the collection work.

On the 26th January 1892 the Amildar reported to the 2d Genl Asst Comrs Mysore that the appellant wished to get one Ramia alias Puttamm appointed to act for him, that the ~~abovesaid~~ request of the appellant might be complied with, that it was true that the appellant had been in receipt of a monthly

duties, that with regard to the collection work, each of the Shanbhogs should be directed to collect the kandayam of half the number of Khatedaro in the village, that there should be two Khates and two kirdees, + one for each Shanbhog, that both the Shanbhogs should jointly prepare the remaining accounts and that in case either of them failed to do the duties properly he should be immediately removed and some other appointed on behalf of Govt.

Ranjappa (appellant) then appealed to the Deputy Commr against the above order on the following grounds.

That the asst.

Date 26-5-92

Commr was wrong in ordering two khates and two kirdees for mugur village one for each Shanbhog & Patel.

2 That the order of the asstt Commr was illegal inasmuch as it referred the appellt to a regular suit to establish his right to 2/3 mirasi which was not only undisputed & was being enjoyed by him.

3 That the Respondent was insolvent and his character suspicious.

On appeal the Deputy Commr passed an order dated 23.7.92 that each party should perform the Shanbhogi work for one year alternately. (vide order in English)

The present appeal

noti

- there was a si
dispute between
two Patels of m
the 2d gent ass
~~his two orders app~~
~~appeared~~ has pa
one & the same
of 26.4.92 ref'd to above, both a
regard to the Sha
and the patel's
But the two cas
different, the
Commr on app
passed two ~~dif~~
orders.

there have
two distinct a
now preferred to Gov
these two orders
Deputy Comm
present one regarding
Shanbhogi & th
regarding the P
of mugur.

The appeal
to Govt regar
Patel has n
posted for hea
yet.

7 11.11.92

by terms.

2 The Lower appellate Court erred in not directing the payment to the present appellant of $\frac{2}{3}$ of the Miras instead of one half.

3. The learned Deputy Commissioner was wrong in directing that the appellant was not entitled to nominate his own Gumasta for doing duty for him when occasion arises.

4 The respondent is an highly objectionable person

5. The order under appeal is illegal.

For the foregoing reasons the appellant prays that the order of the deputy Commissioner be modified in the above respects.

B. Subbanna
adv. for appellant

Bangalore
10th Nov. 1892

3112 / 260 — 15-8-93

Letter No. 1263 dated 31/3/93 from D.C. Mysore

(General Serial No. 32.)

Received 1st August 1893.

No. 35 (5)

Name of Petitioner. Nanjappa Shanb

Village. Mooguir

Taluk. T. Narsipur

District. Mysore

Date of Arzi. 4-7-93.

Date of Receipt. 7-7-93

Date of Disposal.

No. of Enclosures. Nil

P.M. 139-92/3

ABSTRACT.

With reference to this o
endorsement no: 1195, date
17-11-92, informing him
that the Deputy Commissi
has been called for to repo
on his Appeal petition, the
petitioner, states that he h
to resign the office from
the 1st of July 1893, accordi
to the Deputy Commissi
order

Prays that the same order
may be set aside pending the
disposal of his Appeal

3

4

Before the Government of *His Highness* the Maharaja of Mysore. 115

Appeal No. 173 of 1892-93

Appellant.

Ranjappa of Mugur, Kunnakadu, Narsipur Hobli, Mysore District, represented by Mr. Subbaratnay Iyer. Barrister-at Law.

Vs.

Respondent.

Srikantia, represented by Mr. S. Ramaswamy Iyer, advocate

Decision. dated 2d. December 1893

L.R. 139-92-5

This is an appeal against the order of the Deputy Commissioner dated 26th April 92, directing the appellant and Respondent to do the duties of Shanbhog alternately every other year.

2. Appellant's contention is that he should have 2 years, while the Respondent should have only one year, because he gets twice the pay the Respondent draws

3. The Register of 1868 shows that there were 3 Shanbogues

*1. Ranjeppa appellant	2-6-0	for the
2. Srikantiah Respondent	1-3-0	village
3. Subbia	1-3-0	named
Total	4-12-0	in the

margin* with the salaries mentioned opposite their names and that the mera payable by the Ryots to the 1st and 2d was 70 Rs each, and that the 3d had no mera. The 3d subsequently abandoned the Office and nothing is known of him. Apparently, the 3rd was a person appointed out of the share of No 2 for official convenience. Appellant does not say how he came to get a larger salary than the Respondent, while the Mera is divided by them equally, but